IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION NO : 25200 of 2003

Between:

1 Mediboyina Nagavara Prasada Reddy, S/o Subba Reddy,
R/o Nagendrapuram, Bapatla Mandal, Guntur District.
2 K.V.N.Bhaskar Reddy, S/o Krishna Reddy
R/o Vedullapalli Village, Bapatla Mandal,
Guntur District.

..... PETITIONERS

AND

1 The Government of A.P.rep.by its Secretary, Revenue Department,
Secretariat, Hyderabad.
2 The Chief Commissioner of Land Administration, Andhra Pradesh,

Nampally, Hyderabad.
3 The Secretary, Irrigation Department,
A.P.Secretariat, Hyderabad.
4 The Secretary, Panchayat Raj Department,
A.P.Secretariat, Hyderabad.
5 The District Collector, Guntur District.
6 The Revenue Divisional Officer, Tenali, Guntur District.
7 The Mandal Revenue Officer, Bapatla Mandal, Guntur District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ or Order more especially one in the nature of Writ of Mandamus declaring the action of respondents in not safeguarding the Kunta / Sona / Kunderu Porombok i.e., watercourse poromboks in S.No.226, 210, 209 of Nagendrapuram Village, Bapatla Mandal and other survey numbers of West Bapatla Revenue Village as illegal, arbitrary, capricious and violative of Sec.15(4)(II) of Board Standing Orders and consequentially direct the respondents to remove the encroachments on the Kunta / Sona / Kunderu Porombok i.e., Watercourse poromboks in S.No.226, 210,209 of Nagendrapuram Village, Bapatla Mandal

forthwith.

Counsel for the Petitioners:MR.RAVI SHANKAR JANDHYALA

Counsel for the Respondents : GP FOR REVENUE

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.25200 OF 2003

ORDER:

The petitioners are residents of Nagendrapuram and Vedulapalli Villages in Bapatla Mandal, in Guntur District. They allege that the land comprised in S.Nos.209, 210 and 226 is classified as watercourse poramboke and that the said land has been occupied by some people. The petitioners also allege that revenue authorities have failed to safeguard the donka poramboke. Therefore, they seek a direction to respondents to initiate action for evicting the encroachers.

Though interlocutory application is listed, with the consent of the learned counsel for the parties, the Writ Petition itself is heard finally and is being disposed of.

After receiving notice, the respondents appeared through Assistant Government Pleader for Revenue. On instructions, learned Assistant Government Pleader submits that the Mandal Revenue Officer has already initiated necessary action against encroachers under A.P.Land Encroachment Act, 1905 (for short, the Act). In that view of the matter, the Writ Petition is disposed of directing the Mandal Revenue Officer to complete the action initiated under the Act expeditiously keeping in view the judgments of the Supreme Court in **M.C.Mehta v. Kamal Nath, Hinch Lal Tiwari v. Kamala Devi**, and the Division Bench judgment of this Court in **Katuri Mahalaxmamma v. Special Commissioner of Land Revenue.**

The Writ Petition, with the above observations and directions, is disposed of. No costs.

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(V.V.S.RAO, J)

10.9.2004

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To

1 The Secretary to Government of Andhra Pradesh

Revenue Department,
Secretariat, Hyderabad.
2 The Chief Commissioner of Land Administration, Andhra Pradesh,

Nampally, Hyderabad.
3 The Secretary, Irrigation Department,
A.P.Secretariat, Hyderabad.
4 The Secretary, Panchayat Raj Department,
A.P.Secretariat, Hyderabad.
5 The District Collector, Guntur District, Guntur
6 The Revenue Divisional Officer, Tenali, Guntur District.
7 The Mandal Revenue Officer, Bapatla Mandal, Guntur District.

8 2 CCs to GP for Revenue, High Court Bldgs., Hyderabad (OUT)

9 2 CD copies